

Notice of Allowability

Application No.

09/885,480

Examiner

Marissa Thein

Applicant(s)

YOSHIDA ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to April 2, 2007.
2. ☒ The allowed claim(s) is/are 1, 17 and 30.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 6-21-07.

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☒ Other The drawings submitted
6/20/2001 are accepted.

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6/21/07

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Darren Simon on June 20, 2007.

In the Claims

The application has been amended as follows:

Claims 1, 17, and 30 are amended.

In claim 1, page 2, line 19:

Line 19 has been changed to read as follows:

--information center;--

In claim 1, page 4, line 12:

Line 12 has been changed to read as follows:

--instruct said terminal apparatus to prompt for a loading--.

In claim 17, page 7, line 14:

Line 14 has been changed to read as follows:

--terminal apparatus to prompt for a loading of a second--.

In claim 30, page 8, line 20:

Line 20 has been changed to read as follows:

--apparatus, said information center and said terminal--.

In claim 30, page 9, line 22:

Line 22 has been changed to read as follows:

--a loading of a second recording medium having recorded--.

REASONS FOR ALLOWANCE

The following is an Examiner's statement of reasons for allowance:

Claim 1

The prior art of record neither anticipates nor fairly and reasonably teach in an information distribution system having a terminal apparatus and an information center, in which a recording medium having recorded thereon unrewritable prepaid information is loadable in the terminal apparatus so as to enable content data to be transmitted to the recording medium from the information center via a predetermined communication line, *inter alia*: wherein said recording medium also records information about a remaining recordable capacity thereof, said information is reproduced by said recording and reproducing means, and said reproduced information is transmitted by said first transmitting means to said information center; wherein when after loading of said second recording medium into said terminal apparatus in response to the prompt for the loading of said second recording medium, a result of an addition by said adding means is found in excess of said price of said content data to be transmitted, said identifier unique to said recording medium and said prepaid information stored in said second storage means are edited based on said information about the remaining recordable capacity of said previously loaded recording medium and said information about the remaining recordable capacity of said second recording medium; and wherein, when

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said usable remaining amount of money is consumed, the identifier unique to said recording medium stored in the second storage medium is moved to a registration deleted group in the second storage medium to indicate the recording medium has been deleted from registration and is invalid.

The most closely applicable prior art of record is U.S. Patent No. 6,018,720 to Fujimoto. Fujimoto neither anticipates or fairly and reasonably teaches an information distribution system having a terminal apparatus and an information center, in which a recording medium having recorded thereon unrewritable prepaid information is loadable in the terminal apparatus so as to enable content data to be transmitted to the recording medium from the information center via a predetermined communication line, *inter alia*: wherein said recording medium also records information about a remaining recordable capacity thereof, said information is reproduced by said recording and reproducing means, and said reproduced information is transmitted by said first transmitting means to said information center; wherein when after loading of said second recording medium into said terminal apparatus in response to the prompt for the loading of said second recording medium, a result of an addition by said adding means is found in excess of said price of said content data to be transmitted, said identifier unique to said recording medium and said prepaid information stored in said second storage means are edited based on said information about the remaining recordable capacity of said previously loaded recording medium and said information about the remaining recordable capacity of said second recording medium; and wherein, when said usable remaining amount of money is consumed, the identifier unique to said recording medium stored in the second

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storage medium is moved to a registration deleted group in the second storage medium to indicate the recording medium has been deleted from registration and is invalid.

Fujimoto discloses a purchaser, which purchases a record medium to which game software is rewritten or reloaded at a shop (abstract). The purchaser writes data representing a predetermined amount of money to the purchaser record medium (abstract). The medium is able to record primary data which includes software, and additional data, which includes purchaser's inherent data, purchase data and accounting data (col. 2, lines 52-55). Historical data is also recorded in both a computer of a software deliverer and the purchaser's medium (col. 2, lines 55-58).

Primary data is delivered which is requested by the purchaser from the computer of the software deliverer to the purchaser's medium (col. 2, lines 59-61).

Tagawa et al. (U.S. Patent No. 6,834,348) neither anticipates or fairly and reasonable teaches an information distribution system having a terminal apparatus and an information center, in which a recording medium having recorded thereon unrewritable prepaid information is loadable in the terminal apparatus so as to enable content data to be transmitted to the recording medium from the information center via a predetermined communication line, *inter alia*: wherein said recording medium also records information about a remaining recordable capacity thereof, said information is reproduced by said recording and reproducing means, and said reproduced information is transmitted by said first transmitting means to said information center; wherein when after loading of said second recording medium into said terminal apparatus in response to the prompt for the loading of said second recording medium, a result of an addition by

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said adding means is found in excess of said price of said content data to be transmitted, said identifier unique to said recording medium and said prepaid information stored in said second storage means are edited based on said information about the remaining recordable capacity of said previously loaded recording medium and said information about the remaining recordable capacity of said second recording medium; and wherein, when said usable remaining amount of money is consumed, the identifier unique to said recording medium stored in the second storage medium is moved to a registration deleted group in the second storage medium to indicate the recording medium has been deleted from registration and is invalid. Tagawa teaches a data transmit/receive unit, which receives encrypted digital data distributed through an electronic music distribution system, and records the digital data on a primary recording medium (abstract). Digital data have been encrypted in different encryption systems according to the distributors and include attribute information indicating the encryption systems (abstract).

Kupka et al. (U.S. Patent No. 6,434,535) neither anticipates or fairly and reasonable teaches an information distribution system having a terminal apparatus and an information center, in which a recording medium having recorded thereon unrewritable prepaid information is loadable in the terminal apparatus so as to enable content data to be transmitted to the recording medium from the information center via a predetermined communication line, *inter alia*: wherein said recording medium also records information about a remaining recordable capacity thereof, said information is reproduced by said recording and reproducing means, and said reproduced information

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is transmitted by said first transmitting means to said information center; wherein when after loading of said second recording medium into said terminal apparatus in response to the prompt for the loading of said second recording medium, a result of an addition by said adding means is found in excess of said price of said content data to be transmitted, said identifier unique to said recording medium and said prepaid information stored in said second storage means are edited based on said information about the remaining recordable capacity of said previously loaded recording medium and said information about the remaining recordable capacity of said second recording medium; and wherein, when said usable remaining amount of money is consumed, the identifier unique to said recording medium stored in the second storage medium is moved to a registration deleted group in the second storage medium to indicate the recording medium has been deleted from registration and is invalid. Kupka teaches a system for distribution of electronic content over a network and compensation of vendors of such data using prepaid media that includes a client device for operation by a user desiring to receive the electronic content and server that contains the electronic content and offering the electronic content for downloading to the client device via the network (abstract). Kupka further teaches the determination of the remaining balance is greater than a purchase price of the electronic content by the communicating information from the vendor server to a media tracking server (col. 3, lines 54-56). Furthermore, Kupka teaches the determination of the media being full, if full prompting a user to insert a second piece of media having a second predetermined money value

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and downloading the electronic content to the second piece of media (col. 4, lines 14-20).

Akiyama et al. (U.S. Patent No. 6,144,745) neither anticipates or fairly and reasonably teaches an information distribution system having a terminal apparatus and an information center, in which a recording medium having recorded thereon unrewritable prepaid information is loadable in the terminal apparatus so as to enable content data to be transmitted to the recording medium from the information center via a predetermined communication line, *inter alia*: wherein said recording medium also records information about a remaining recordable capacity thereof, said information is reproduced by said recording and reproducing means, and said reproduced information is transmitted by said first transmitting means to said information center; wherein when after loading of said second recording medium into said terminal apparatus in response to the prompt for the loading of said second recording medium, a result of an addition by said adding means is found in excess of said price of said content data to be transmitted, said identifier unique to said recording medium and said prepaid information stored in said second storage means are edited based on said information about the remaining recordable capacity of said previously loaded recording medium and said information about the remaining recordable capacity of said second recording medium; and wherein, when said usable remaining amount of money is consumed, the identifier unique to said recording medium stored in the second storage medium is moved to a registration deleted group in the second storage medium to indicate the recording medium has been deleted from registration and is invalid. Akiyama teaches a

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method and apparatus for retaining and verifying of data on recording medium
(abstract).

Claim 17

Claim 17 recites an information center connected to a terminal apparatus via a predetermined communication line for distributing content data: *inter alia* wherein, when after loading of said second recording medium into said terminal apparatus in response to the prompt of the loading of said second recording medium, a result of an addition by said adding means is found to be in excess of said price of said content data to be transmitted, said identifier unique to said recording medium and said prepaid information stored in said second storage means are edited based on said information about the remaining recordable capacity of said previously loaded recording medium and said information about the remaining recordable capacity of said second recording medium; and wherein, when said usable remaining amount of money is consumed, the identifier unique to said recording medium stored in the second storage medium is moved to a registration deleted group in the second storage medium to indicate the recording medium has been deleted from registration and is invalid. This information center connected to a terminal apparatus via a predetermined communication line for distributing content data is allowable over the prior art of record for reasons consistent with those identified above with respect to claim 1.

Claim 30

Claim 30 recites an information distributed method for distributing content data from an information center to a recording medium loaded in a terminal apparatus, said

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information center and said terminal apparatus being interconnected via a predetermined communication line, the method comprising the steps of: *inter alia* wherein, when said usable remaining amount of money is consumed, the identifier unique to said recording medium stored in the memory is moved to a registration deleted group in the memory to indicate the recording medium has been deleted from registration and is invalid. This an information distributed method is allowable over the prior art of record for reasons consistent with those identified above with respect to claim 1.

Newly cited article "Broadcast Technology Leaders Premier MP-3 Datacasting Technology for Revenue-Generating Services at NAP 2000" teaches the delivering of revenue-generating pre-paid services. The article discloses a smart card which is authored with personal information and a pre-paid credit. The smart card allows its bearer to download and MP-3 file. By inserting the smart card into the IRD (decoder), the card bearer will trigger and interactive application, enabling an MP-3 audio file to be downloaded onto a flash memory card. The IRD will automatically debit the pre-paid smart card and track the downloaded file. (Whole article)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa Thein whose telephone number is 571-272-6764. The examiner can normally be reached on M-F 8:00-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mtot
June 22, 2007

 6/21/07
F. RYAN ZEENDER
SUPERVISORY PATENT EXAMINER